

MEMO ENDORSED

ANGUS DWYER
DIRECT DIAL: 816-292-8338

January 13, 2022

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File No. 5504460-0001

VIA ECF

Hon. Valerie Caproni
United States District Court for the Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square, Room 240
New York, NY 10007

**Re: Aero AG Holdings, LLC v. Huggoes Fashion LLC (DBA Aerothotic) and Mahmood Ali,
Case No. 1:21-cv-09499 (VEC); Request for Extension of Time and Adjournment of Pre Trial
Conference and Related Filings**

Dear Judge Caproni:

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), S.D.N.Y. Local Rule 7.1(d) and Section 2(C) of the Court's Individual Practices, I am requesting an adjournment of the Initial Pre Trial Conference ("IPTC") scheduled for January 21, 2022 and the January 13, 2022, joint letter (the "Letter") from the parties regarding the case.

Plaintiff's complaint was originally filed on November 16, 2021. Huggoes was served on November 19, 2021. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), Huggoes' initial deadline to answer or move to dismiss was December 10, 2021. Mr. Ali was served on November 30, 2021. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), Mr. Ali's initial deadline to answer or move to dismiss was December 21, 2021. Plaintiffs and the Court agreed to extend the time for Defendants to respond to the Complaint until January 20, 2022. The Court set the IPTC and Letter deadline prior to extending Defendants' responsive pleading deadline.

Given that the Court extended Defendants' time to respond, whether via Rule 12 motion, Answer, or otherwise, until January 20, 2022, both parties request the Court extend the IPTC to February 28, 2022, and extend the deadline to submit the Letter to February 21, 2022.

The requested extension is sought to enable the parties to convene regarding the issues in the case after Defendants have responded to the Complaint. Allowing all parties to view Defendants responsive pleadings will promote judicial efficiency and increase convenience for the parties.

This is the first request for extension of the IPTC and Letter.

Counsel for Huggoes and Mr. Ali have discussed the proposed extension with counsel for Plaintiff, who have indicated that Plaintiff consents to the requested relief.



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Defendants make this request without prejudice to their rights to file responsive pleadings, including any potential Rule 12 motions, as Defendant Mahmood, and possibly Defendant Huggoes, intends to object to, *inter alia*, personal jurisdiction.

Best regards,

Angus Dwyer

Angus Dwyer

AD/db

cc: All counsel of record via ECF

Application DENIED. The initial pretrial conference will take place as scheduled on **January 21, 2021 at 2:30 p.m.** The parties should appear for the conference by dialing 888-363-4749, using the access code 3121171 and the security code 9499.

The parties are directed to file their joint letter and proposed Case Management Plan, *see* Dkt. 8, by no later than **February 18, 2022 at 9:00 a.m.**

Further, counsel are admonished for not abiding by Rule 2.C of the Undersigned's Individual Practices in Civil Cases, which requires that, absent an emergency, adjournment requests be made at least 48 hours prior to the original due date.

SO ORDERED.

A handwritten signature in blue ink that reads "Valerie Caproni".

1/13/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE